

Prepared by: City of Sturgis
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RESOLUTION 2015-21

RESOLUTION ON ANNEXATION OF THE EXISTING CITY OF STURGIS AIRPORT

WHEREAS, the City of Sturgis has filed a Petition for Annexation of property owned by the City into the City of Sturgis; and

WHEREAS, said Petition states that the City of Sturgis owns at least $\frac{3}{4}$ of the total value of the property, and that the City of Sturgis constitutes $\frac{3}{4}$ or more of the registered voters residing within the boundaries of the property proposed to be annexed; and

WHEREAS, said real property as described in the Petition is a Municipal Airport as described in SDCL 9-4-14, owned and operated by the City of Sturgis; and

WHEREAS, SDCL 9-4-14 authorize a municipality to annex noncontiguous property into the municipality when said property is a municipally operated airport organized pursuant to Title 50 of the South Dakota Code; and,

WHEREAS, SDCL 50-7-2 authorizes a municipality to acquire, establish, construct, own, control, lease, equip, improve, maintain, operate, and regulate an airport and as authorized the City of Sturgis has acquired approximately 286 acres for the express use as a municipal airport, the City of Sturgis has spent several millions of dollars of federal, state and municipal funds for the construction of a runway, taxiway, hangars, terminals and accessory structures, the City of Sturgis has leased numerous hangars to independent third parties, and the City of Sturgis has continuously invested in numerous upgrades and repairs at the facility; and,

WHEREAS, the current use of the subject property is as the City of Sturgis Municipal Airport which is an integral part of the services provided to the residents of the City of Sturgis and residents of the surrounding area; and ,

WHEREAS, SDCL 9-19-13 authorize the City Council to adopt a resolution to take effect immediately when the adoption of that resolution is for the “immediate preservation of public health...and support of the municipal government and its existing public institutions...”; and,

WHEREAS, the City of Sturgis is currently in negotiations with the Federal Aviation Administration to make needed repairs to the existing taxiway and that existing taxiway is necessary for the preservation of an existing public institution; and,

WHEREAS, the existing City of Sturgis Municipal Airport is located outside the municipal limits of the City of Sturgis which may lead to additional regulatory burdens and requirements from other agencies as long as that important infrastructure is located outside of the municipal limits of the City of Sturgis.

NOW THEREFORE BE IT RESOLVED, that this Resolution of Annexation shall become effective February 20, 2015 pursuant to S.D.C.L. 9-19-13; and,

Fay Bueno, Finance Officer